

## DEPARTMENT OF ECOLOGY

IN THE MATTER OF THE COMPLIANCE BY )  
 U.S. DEPARTMENT OF ENERGY )  
 with Chapter 90.48 RCW and the )  
 Rules and Regulations of the )  
 Department of Ecology )

NOTICE OF VIOLATION  
 No. DE 85-130

To: United States Department of Energy  
 Richland Operations Office  
 P.O. Box 550  
 Richland, WA 99352

RCW 90.48.020 defines underground waters as waters of the state. RCW 90.48.080 provides that it shall be unlawful for any person to throw, drain, run, or otherwise discharge into any of the waters of this state, or to cause, permit or suffer to be thrown, run, drained, allowed to seep or otherwise discharge into such waters any organic or inorganic matter that shall cause or tend to cause pollution of such waters according to the determination of the Director.

RCW 90.48.120 reads in part: "Whenever, in the opinion of the department, any person shall violate or is about to violate the provisions of this chapter, or fails to control the polluting content of waste discharged or to be discharged into any waters of the state, the department shall notify such person of its determination by registered mail . . . ." Notice is hereby given in accordance with RCW 90.48.120, as follows:

On September 26, 1984 a discharge of 1,175 gallons of 57 percent nitric acid resulted from a maintenance-related equipment failure at Z plant, 200 area west, Hanford reservation, Richland, Washington. This discharge to the environment and ultimately to ground water is in violation of RCW 90.48.080.

The determination or proposed action does not constitute an order or directive under RCW 90.48.135. Within thirty (30) days from the receipt of this Notice of Violation, the U.S. Department of Energy shall file with the department a full report stating what steps have been and are being taken to control such waste or pollution or to otherwise comply with the determination of the department. Furthermore, it is hereby noted that a full and timely investigation of this incident has been hampered by the unavailability of adequate information regarding the subject spill, and, therefore, the response to this Notice of Violation must include the following information:

- A) A detailed description of the spill including a time sequence of the spill itself, its discovery, and subsequent remedial actions including any flushing of the Z-20 chemical sewer.

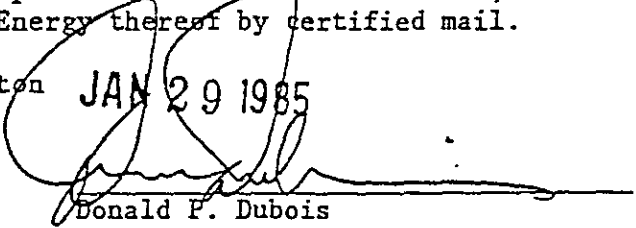
This description should include a discussion of tank and pump sizes, pumping rates, how the spill was first discovered, and the location and operability of any alarm systems.

- B) A detailed description of ground water monitoring efforts in the vicinity of the Z-20 crib. This description should be worded so as to clearly detail all information available to the USDOE regarding the impact of the subject spill.
- C) Copies of any and all interim or final reports regarding this incident.
- D) A summary of the volumes and characteristics of liquid wastes normally discharged to the Z-20 chemical sewer and crib. This summary should differentiate between continuous and batch discharges.
- E) A detailed description of actions taken to minimize the potential for reoccurrence.

Upon receipt of this report the department shall issue such an order or directive as it deems appropriate under the circumstances, and shall notify the U.S. Department of Energy thereof by certified mail.

DATED at Olympia, Washington

JAN 29 1985

  
Donald P. Dubois  
Assistant Director  
Department of Ecology  
State of Washington

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BY U.S. DEPARTMENT  
OF ENERGY

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ACKNOWLEDGEMENT OF SERVICE  
No. DE 85-130

To: Department of Ecology  
State of Washington  
Olympia, Washington 98504  
Attention: Enforcement Officer

Receipt is acknowledged of Notice No. DE 85-130.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)